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THE

INTERIM

A REPORT OF INTERIM ACTIVITY . . . MONTANA LEGISLATIVE COUNCIL . . . HELENA

JULY 1983

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VOL. IV, NO. 2

INTERIM SUBCOMMITTEES

STUDIES DESIGNATED

The Legislative Council designated all ten studies called for by Joint Resolutions during the session. The Council suggested that the Subcommittees designated to study insurance laws (HJR 29) and community colleges (HJR 45) consider subordinating those studies to other assigned work. Assignment of all studies was made based on the assessment that sufficient resources are available to conduct the studies although members will be required to work very hard. Several members have asked why a poll was conducted if all studies were to be assigned. The answer is twofold. First, and most important, is that the statute requires the poll. Second is that it was only after analysis by staff and the Council itself that it was determined that the ten studies could be assigned.

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MEMBERS APPOINTED

The Committee on Committees met Sunday, June 26, to appoint Senators to the Interim Subcommittees and the Speaker announced House appointments June 28. The respective appointments are listed below:

JOINT INTERIM SUBCOMMITTEE NUMBER 1

MEMBERS

Sen. Aklestad	Rep. Harrington
Sen. Lane	Rep. Jacobsen
Sen. Norman	Rep. Switzer
Sen. Severson	Rep. Underdal

ASSIGNMENT

The Subcommittee will conduct an interim study on the classification, valuation, and assessment of agricultural land as outlined in HJR 35.

STAFF

Dave Bohyer, Legislative Council

JOINT INTERIM SUBCOMMITTEE NUMBER 2

MEMBERS

Sen. Boylan	Rep. Jim Jensen
Sen. Conover	Rep. Keyser
Sen. Galt	Rep. Marks
Sen. McCallum	Rep. Ream

ASSIGNMENT

Two studies were assigned: a study to identify and provide for preservation of the rights of landowners adjacent to public land and waterways and to identify and provide for rights of the public to access and use public land and waterways (HJR 36); and a study of the management of the state lands resources, particularly state forest resources (HJR 40).

STAFF

Anne Brodsky (HJR 36) and Paul Verdon (HJR 40),
Legislative Council

JOINT INTERIM SUBCOMMITTEE NUMBER 3

MEMBERS

Sen. Daniels	Rep. Fabrega
Sen. Marbut	Rep. Neuman
Sen. Ochsner	Rep. Solberg
Sen. Towe	Rep. Veleber

ASSIGNMENT

Four studies were assigned:

(1) options and alternatives for investing state retirement funds, coal tax trust funds, and other cash funds (HJR 4);

(2) the creation of a unified court system and the financing of such a system (SJR 25);

(3) mechanisms or procedures to assist the Legislature in decisionmaking concerning public employee retirement systems (HJR 44); and

(4) the insurance laws of the State of Montana (HJR 29).

STAFF

Paul Verdon (HJR 4); Lois Menzies (SJR 25, HJR 44);
Andrea Merrill (HJR 29) Legislative Council

JOINT INTERIM SUBCOMMITTEE NUMBER 4

MEMBERS

Sen. Haffey	Rep. Farris
Sen. Hammond	Rep. Hannah
Sen. Mazurek	Rep. Jones
Sen. Tveit	Rep. Pavlovich

ASSIGNMENT

Three studies were assigned:

(1) Montana's employment preference laws concerning veterans, veterans' spouses and dependents, and disabled civilians (HJR 41);

(2) school teacher tenure laws (HJR 43); and

(3) the role of community colleges in the public education system of the State of Montana (HJR 45).

STAFF

Andrea Merrill (HJR 43; HJR 45) and Lois Menzies (HJR 41) Legislative Council

SELECT COMMITTEE ON WATER MARKETING

APPOINTMENTS
MADE

In addition to the interim subcommittees, appointments were made to the Select Committee on Water Marketing. The Select Committee will consider a wide range of issues related to water marketing as called for in HB 908. As required by the bill, the EQC will provide staff assistance.

MEMBERS

Sen. Blaylock	Rep. Harp
Sen. Dave Manning	Rep. Iverson
Sen. Shaw	Rep. Kemmis
Sen. Turnage	Rep. Shontz

NATIONAL CONFERENCE OF STATE LEGISLATURES

The Legislative Council designated the following NCSL assignments:

State-Federal Assembly Committees:

<u>Committee</u>	<u>Member</u>	<u>Alternate</u>
Agriculture, Food Policy and Nutrition	Sen. Kolstad	Rep. Neuman
Human Resources	Rep. Winslow	Sen. Regan
Natural Resources and Environment	Rep. Iverson	Sen. Halligan
Transportation and Communications	Sen. Goodover	Rep. Shontz

Assembly on the Legislature Committees:

Commerce, Labor and Economic Development	Rep. Vincent	Sen. Crippen
Fiscal Affairs and Oversight	Sen. Boylan	Rep. Harrington
State Government Issues and Organization	Rep. Menahan	Sen. Story

COUNCIL OF STATE GOVERNMENTS

<u>Committee</u>	<u>Member</u>	<u>Alternate</u>
Executive Committee	Rep. Marks	Sen. Blaylock
Fiscal Affairs and Federalism	Rep. Manuel	Rep. Donaldson
Public Lands	Sen. Etchart	Rep. Nilson
Transportation	Sen. Graham	Rep. Harp
Water Policy	Sen. Galt	Rep. Harper

FIVE-STATE CONFERENCE

The Legislative Council appointed Representative Rex Manuel and Senator Jack Galt to serve on the Five-State Water Task Force. The Task Force was established at the 1981 Five-State Conference to facilitate the sharing of information among the five states.

ARE YOU INTERESTED?

The Legislative Council budget will allow for 15 legislators to attend the Five-State Conference. If you would like to be designated to attend, please return the enclosed form or otherwise contact the Legislative Council. The Wyoming host committee has given the following information.

CONFERENCE DETAILS

The Conference will be held in Cody, Wyoming on September 25-27, 1983. The discussion topics will be:

- Water
- Health Care Cost Containment
- Legislative Staff Services
- Tax Structures, Revenues and Competing Demands
- Economic Development and Tourism

The format for panel discussions will be the same as for past conferences, with each state providing one panelist for each topic. However, it has been suggested we approach the presentation a bit differently with regard to at least two topics.

For the water discussion it was suggested that rather than each state presenting a recap of their water laws and administrative problems, they discuss a water project, litigation, or some subject somewhat unique to the individual state. Senator Wagner, when in Cody, suggested an explanation of the Pick-Sloan Act might be helpful. The sale of water for the ETSI pipeline by South Dakota and related problems might be interesting.

Water litigation experience is always helpful. Wyoming might discuss its joint venture with the Bureau of Reclamation for enlargement of the Buffalo Bill Dam near Cody, among other things. The point of the suggestion is to zero in on specific problems and solutions experienced by each state, which might provide guidance to the other states.

For the Health Care Cost Containment discussion, Wyoming intends to invite a nonlegislator to be a panelist.

Wyoming feels the Conference would be better served by hearing a knowledgeable person with specific suggestions rather than a general discussion of the problem, which everyone concedes exists. The suggestion was made to invite panelists who have special knowledge in this subject such as health care administrators, insurers, providers, etc., even though they may represent a special interest, in the hope that from their discussion will evolve more light than heat. Wyoming feels it can provide better discussion through a nonlegislator panelist and wants the other states to feel free to do so if they so desire.

Alan Rosenthal, Director of the Eagleton Institute of Politics at Rutgers University, has accepted an invitation to be the keynote speaker at the dinner Monday night. He will also be available to moderate the panel discussion of legislative staff services on Tuesday. He is a very interesting, knowledgeable and entertaining speaker of national renown, and the Conference is very fortunate to have him. Unfortunately, Secretary James Watt was unable to accept an invitation. Commissioner Robert Broadbent of the Bureau of Reclamation has been invited to address the Conference and participate in the water discussions, as has Lavon D. Loynd, an attorney from Rigby, Idaho. Mr. Loynd is a member of the faculty for the judicial college conducted in Reno, Nevada. Neither Mr. Broadbent nor Mr. Loynd are confirmed as yet.

FORM:

TO: Rex Manuel, Chairman
Legislative Council

FROM: _____

Yes, I would like to be designated to attend the Five-State Conference, September 25-27 in Cody, Wyoming.

Return to Legislative Council
Room 138, State Capitol
Helena MT 59620

ADMINISTRATIVE CODE COMMITTEE

MEETING HELD
JUNE 10

MEDICAID RULES

The Administrative Code Committee met on June 10, 1983, and, among other agenda items, reviewed and held a hearing on rules proposed by the Department of Social and Rehabilitation Services to allocate state medicaid funds appropriated by the 48th Legislature to reimburse providers for nursing and intermediate care services. Several health care associations had objected to the proposed rules, which would have frozen reimbursement rates at their current level for the first six months of Fiscal Year 1984. After hearing testimony, the Committee asked the Department not to adopt the proposed freeze, and to work with the objecting organizations to resolve any differences over other portions of the proposed rules. The rules have now been adopted by the Department without the proposed freeze.

RULES COSTS TO RISE

The Committee also heard testimony from the Secretary of State's Office, which prints and distributes the Montana Administrative Register and Administrative Rules of Montana, recommending that the per page filing fee charged to administrative agencies by the Secretary's office for the filing of proposed and adopted rules, be increased from the current \$13.50 per page to \$30.00 per page, and that the cost of subscriptions to the ARM and MAR also be increased. The Committee voted to approve the proposed increases, as they have been made necessary by increased legislative appropriations from the fee-supported revolving fund. A hearing will be held by the Secretary's office on the proposed increases on July 20. The increases are scheduled to go into effect on August 12, 1983.

PRE-1975 RULES TO BE REVIEWED

On other topics, the Committee discussed the method to be used by the Committee and its staff for the review of administrative rules adopted prior to the creation of the Committee in 1975. The study is required by House Bill 59 of the 48th Legislature, and will be based on a computer search to identify those pre-1975 rules which were not originally reviewed by the Committee. The rules will be reviewed to determine whether they are still compatible with the laws they implement. State agencies will be asked to respond to the Committee's findings.

ENVIRONMENTAL QUALITY COUNCIL

EQC AGENDA
SET JUNE 23

The Environmental Quality Council met Thursday, June 23, to establish priorities and formalize the

SUBCOMMITTEES
FORMED

EQC's work for the biennium. The Council agreed to establish three subcommittees, which will be responsible for overseeing and studying issues of concern.

The three subcommittees and the issues assigned to them are as follows:

Natural Resources Oversight

Dave Brown, Chairman
Tad Dale
Senator Dorothy Eck
Representative Earl Lory

Issues:

Hard-Rock Mining--Social and Economic Impact
Mitigation Oversight

Hard-Rock Mining Physical Environmental Impact
Mitigation

Use of Resource Indemnity Trust Tax

Major Facility Siting Act--Oversight of
Implementation of the Act
through adoption and revision of
rules

Toxic Substances

Representative Earl Lory, Chairman
Warren Harding
Frank Stock
Representative Hal Harper
Senator Larry Tveit

Issues:

Pesticide Management Oversight

Toxic and Hazardous Waste Disposal

Noxious Weed Control

Water Oversight

Senator Dorothy Eck, Chairman
Representative Hal Harper
Senator Jim Shaw
Warren Harding
Les Pengelly

Issues:

Groundwater Management Oversight

Oversight of Progress of Water Adjudication
Programs as requested by affected individuals
and groups

Evaluation of Costs and Opportunities for central
data storage and retrieval system for water
resource information

Reevaluation of need for development of a state
water plan

Oversight of Surface Water Quality Program

Oversight of research on and effects of acid
precipitation

Coordination of EQC activities in water policy
issues with Select Committee on Water Marketing

OTHER ACTIVITIES

The full EQC will continue to oversee implementation of the Montana Environmental Policy Act (MEPA) and state agency programs affecting the environment, as well as the Alternative Renewable Energy Grant and Loan Program, the development of small-scale hydroelectric facilities, and other issues as they arise.

The EQC will soon be distributing the first issue for this biennium of its newsletter, EQComments, which will describe in greater detail the specific elements of the issues listed above.

LEGISLATIVE FINANCE COMMITTEE

APPROPRIATIONS
REPORT APPROVED

The Legislative Finance Committee met in Helena June 27. The committee approved the post session Appropriations Report prepared by staff. Copies of this report are being mailed to each legislator.

NURSING HOME
RATES DISCUSSED

The finance committee also heard arguments about and discussed recent nursing home rate actions taken by the Department of Social and Rehabilitation Services. The committee took no action but will be monitoring this issue.

LEGISLATIVE INTERIM CALENDAR

July

SATURDAY

FRIDAY

THURSDAY

WEDNESDAY

TUESDAY

MONDAY

SUNDAY

2

1

are yet

July and August

meetings for announcements.

appointments, watch the news media for announcements.

**Due to recent committee to be set.

9

8 LEGISLATIVE COUNCIL MEETING Rm. 139--10:00

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*All meetings are subject to change.

*All meetings subject to change.

LEGISLATIVE INTERIM CALENDAR

August

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1 **Due to recent committee appointments, to be set. Watch the news media for announcements.	2	3	4 meetings for announcements.	5 July and August are yet	6
7	8	9	10 NCSL ANNUAL San Antonio, Texas	11 MEETING Texas	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26 REVENUE OVERSIGHT COM. Rm. 104	27
28	29	30	31			

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